

HOUSE BILL 210

M3

11r0043

By: **Chair, Environmental Matters Committee (By Request – Departmental – Environment)**

Introduced and read first time: January 28, 2011

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Mining – Acid Mine Drainage Abatement and Treatment Fund**

3 FOR the purpose of conforming State law to federal law as it relates to the percentage
4 of funding available for certain acid mine drainage activities; and generally
5 relating to the Acid Mine Drainage Abatement and Treatment Fund.

6 BY repealing and reenacting, with amendments,
7 Article – Environment
8 Section 15–1103
9 Annotated Code of Maryland
10 (2007 Replacement Volume and 2010 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article – Environment**

14 15–1103.

15 (a) Except for funds deposited in the Acid Mine Drainage Abatement and
16 Treatment Fund under subsection (b) of this section, any funds the Department
17 receives pursuant to Title IV of the federal Surface Mining Control and Reclamation
18 Act of 1977 shall be deposited, together with any other funds appropriated for the
19 purposes of this subtitle, in a special fund on the books of the Comptroller of the
20 Treasury in an account known as the “Federal–State Reclamation Fund”. The
21 Department shall use the funds to accomplish the purposes of this subtitle in
22 accordance with the provisions of this subtitle. The provisions of this subtitle shall
23 apply only to the “Federal–State Reclamation Fund”.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) There is an Acid Mine Drainage Abatement and Treatment Fund
2 in the Department.

3 (2) Funds granted to the Department for acid mine drainage
4 abatement and treatment under Title IV of the federal Surface Mining Control and
5 Reclamation Act of 1977, as amended [through October 1, 1992], may be deposited by
6 the Department into the Acid Mine Drainage Abatement and Treatment Fund.

7 (3) Funds deposited into the Acid Mine Drainage Abatement and
8 Treatment Fund, together with all interest earned on those funds, shall remain
9 available until expended and may not revert to the General Fund.

10 (4) The Department may expend funds deposited into the Acid Mine
11 Drainage Abatement and Treatment Fund and any interest accrued only to abate and
12 treat acid mine drainage in accordance with the provisions of Title IV of the federal
13 Surface Mining Control and Reclamation Act.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2011.